

(1) IN GENERAL.—The State shall make subgrants to local educational agencies under this subsection as follows:

(A) One-third of funds shall be awarded not less than 15 calendar days after receiving an award from the Secretary under this section.

(B) The remaining two-thirds of funds shall be awarded only after the local educational agency submits to the Governor and the Governor approves a comprehensive school reopening plan based on criteria determined by the Governor in consultation with the State educational agency (including criteria for the Governor to carry out paragraph (2)), that describes how the local educational agency will safely reopen schools with the physical presence of students, consistent with maintaining safe and continuous operations aligned with challenging State academic standards.

(2) APPROVAL OF PLANS.—The Governor shall approve plans submitted under paragraph (1)(B) within 30 days after the plan is submitted, subject to the following requirements:

(A) A local educational agency that offers an option for in-person instruction for at least 50 percent of its students where the students may physically attend school no less than 50 percent of each school-week, as it was defined by the local educational agency prior to the coronavirus emergency, shall have its plan automatically approved.

(B) A local educational agency that does not provide an option for in-person instruction to any students where the students physically attend school in-person shall not be eligible to receive a subgrant under paragraph (1)(B).

(C) A local educational agency that offers an option for in-person instruction to at least some students where the students may physically attend school in-person but does not satisfy the requirements in subparagraph (A) shall have its allocation reduced on a pro rata basis as determined by the Governor.

(3) PLAN CONTENTS.—A school reopening plan submitted to a Governor under paragraph (1)(B) shall include, in addition to any other information necessary to meet the criteria determined by the Governor—

(A) a detailed timeline for when the local educational agency will offer an option for in-person instruction, including the goals and criteria used for providing an option for full time in-person instruction to all students;

(B) a description of how many days of in-person instruction per calendar week the local educational agency plans to offer to students; and

(C) an assurance that the local educational agency will offer students an option to receive as much in-person instruction as is safe and practicable, consistent with maintaining safe and continuous operations aligned with challenging State academic standards.

SA 1202. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of part 1 of subtitle A of title II, add the following:

SEC. 2014. INSPECTOR GENERAL AUDIT AND INVESTIGATION.

(a) IN GENERAL.—Notwithstanding section 2001(a), the amount appropriated under such

section 2001(a) to the Department of Education shall be \$127,269,800,000.

(b) INSPECTOR GENERAL AUDIT AND INVESTIGATION.—In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$20,000,000, for the Office of Inspector General of the Department of Education to conduct, supervise, and coordinate audits and investigations of the procedures, plans, and stakeholder consultations used, developed, and adopted by relevant State and local authorities with respect to reopening elementary and secondary schools for in-person learning.

SA 1203. Mr. SCOTT of South Carolina (for himself, Mr. MORAN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 4001 and insert the following:

SEC. 4001. EMERGENCY FEDERAL EMPLOYEE LEAVE FUND.

(a) ESTABLISHMENT; APPROPRIATION.—There is established in the Treasury the Emergency Federal Employee Leave Fund (in this section referred to as the “Fund”), to be administered by the Director of the Office of Personnel Management, for the purposes set forth in subsection (b). In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$100,000,000, which shall be deposited into the Fund and remain available through September 30, 2021. The Fund is available for reasonable expenses incurred by the Office of Personnel Management in administering this section.

(b) PURPOSE.—Amounts in the Fund shall be available for reimbursement to an agency for the use of paid leave under this section by any employee of the agency who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;

(3) is caring for an individual who is subject to such an order or has been so advised;

(4) is experiencing symptoms of COVID-19 and seeking a medical diagnosis; or

(5) is obtaining immunization related to COVID-19 or to recover from any injury, disability, illness, or condition related to such immunization, but only if determined to be medically necessary by a qualified health care provider.

(c) LIMITATIONS.—

(1) PERIOD OF AVAILABILITY.—Paid leave under this section may only be provided to and used by an employee during the period beginning on the date of enactment of this Act and ending on September 30, 2021.

(2) TOTAL HOURS; AMOUNT.—Paid leave under this section—

(A) shall be provided to an employee in an amount not to exceed 64 hours of paid leave for each full-time employee, and in the case of a part-time employee, employee on an uncommon tour of duty, or employee with a seasonal work schedule, in an amount not to

exceed the proportional equivalent of 64 hours to the extent amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be provided to an employee if the leave would result in payments greater than \$2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

(3) RELATIONSHIP TO OTHER LEAVE.—Paid leave under this section—

(A) is in addition to any other leave provided to an employee; and

(B) may not be used by an employee concurrently with any other paid leave.

(4) CALCULATION OF RETIREMENT BENEFIT.—Any paid leave provided to an employee under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

(d) EMPLOYEE DEFINED.—In this section, the term “employee” means—

(1) an individual in the executive branch for whom annual and sick leave is provided under subchapter I of chapter 63 of title 5, United States Code;

(2) an individual employed by the United States Postal Service;

(3) an individual employed by the Postal Regulatory Commission; and

(4) an employee of the Public Defender Service for the District of Columbia and the District of Columbia Courts.

SEC. 4001A. FUNDING FOR NURSING HOME FACILITIES AND FOR REOPENING SCHOOLS.

(a) NURSING HOME FACILITIES.—In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$5,000,000, to remain available until September 30, 2022, to carry out the purposes of the Disaster Relief Fund for costs associated with vaccinating, screening, testing, providing personal protective equipment for, and meeting other COVID-19-related expenses with respect to the residents and staff of long-term care facilities, nursing facilities, independent living, assisted living, memory care, and continuing care retirement communities, personal care homes, adult care homes, and residential care facilities for the elderly with 15 or more residential units.

(b) REOPENING SCHOOLS.—In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$5,000,000, to remain available until September 30, 2021, to carry out the purposes of the Disaster Relief Fund for the emergency declaration issued by the President on March 13, 2020, pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)), and for any subsequent major disaster declaration that supersedes such emergency declaration, to reimburse costs incurred with respect to reopening schools, including public and non-public schools, for in-person learning with COVID-19 prevention, mitigation, and control measures.

SA 1204. Mr. SCOTT of South Carolina (for himself, Mr. MORAN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to

the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 4001 and insert the following:

SEC. 4001. EMERGENCY FEDERAL EMPLOYEE LEAVE FUND.

(a) **ESTABLISHMENT; APPROPRIATION.**—There is established in the Treasury the Emergency Federal Employee Leave Fund (in this section referred to as the “Fund”), to be administered by the Director of the Office of Personnel Management, for the purposes set forth in subsection (b). In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$100,000,000, which shall be deposited into the Fund and remain available through September 30, 2021. The Fund is available for reasonable expenses incurred by the Office of Personnel Management in administering this section.

(b) **PURPOSE.**—Amounts in the Fund shall be available for reimbursement to an agency for the use of paid leave under this section by any employee of the agency who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;

(3) is caring for an individual who is subject to such an order or has been so advised;

(4) is experiencing symptoms of COVID-19 and seeking a medical diagnosis; or

(5) is obtaining immunization related to COVID-19 or to recover from any injury, disability, illness, or condition related to such immunization, but only if determined to be medically necessary by a qualified health care provider.

(c) **LIMITATIONS.**—

(1) **PERIOD OF AVAILABILITY.**—Paid leave under this section may only be provided to and used by an employee during the period beginning on the date of enactment of this Act and ending on September 30, 2021.

(2) **TOTAL HOURS; AMOUNT.**—Paid leave under this section—

(A) shall be provided to an employee in an amount not to exceed 64 hours of paid leave for each full-time employee, and in the case of a part-time employee, employee on an uncommon tour of duty, or employee with a seasonal work schedule, in an amount not to exceed the proportional equivalent of 64 hours to the extent amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be provided to an employee if the leave would result in payments greater than \$2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

(3) **RELATIONSHIP TO OTHER LEAVE.**—Paid leave under this section—

(A) is in addition to any other leave provided to an employee; and

(B) may not be used by an employee concurrently with any other paid leave.

(4) **CALCULATION OF RETIREMENT BENEFIT.**—Any paid leave provided to an employee under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

(d) **EMPLOYEE DEFINED.**—In this section, the term “employee” means—

(1) an individual in the executive branch for whom annual and sick leave is provided under subchapter I of chapter 63 of title 5, United States Code;

(2) an individual employed by the United States Postal Service;

(3) an individual employed by the Postal Regulatory Commission; and

(4) an employee of the Public Defender Service for the District of Columbia and the District of Columbia Courts.

SEC. 4001A. FUNDING FOR COVID-19 RELATED EXPENSES FOR RESIDENTS AND STAFF OF NURSING HOME FACILITIES.

In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$10,000,000, to remain available until September 30, 2022, to carry out the purposes of the Disaster Relief Fund for costs associated with vaccinating, screening, testing, providing personal protective equipment for, and meeting other COVID-19-related expenses with respect to the residents and staff of long-term care facilities, nursing facilities, independent living, assisted living, memory care, and continuing care retirement communities, personal care homes, adult care homes, and residential care facilities for the elderly with 15 or more residential units.

SA 1205. Mr. SCOTT of South Carolina (for himself, Mr. COTTON, Mr. MORAN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 4001 and insert the following:

SEC. 4001. FUNDING FOR NURSING HOME FACILITIES AND FOR REOPENING SCHOOLS.

(a) **NURSING HOME FACILITIES.**—In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$150,000,000, to remain available until September 30, 2022, to carry out the purposes of the Disaster Relief Fund for costs associated with vaccinating, screening, testing, providing personal protective equipment for, and meeting other COVID-19-related expenses with respect to the residents and staff of long-term care facilities, nursing facilities, independent living, assisted living, memory care, and continuing care retirement communities, personal care homes, adult care homes, and residential care facilities for the elderly with 15 or more residential units.

(b) **REOPENING SCHOOLS.**—In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$50,000,000, to remain available until September 30, 2021, to carry out the purposes of the Disaster Relief Fund for the emergency declaration issued by the President on March 13, 2020, pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)), and for any subsequent major disaster declaration that supersedes such emergency declaration, to reimburse costs incurred with respect to reopening schools, including public and non-public schools, for in-person learning with COVID-19 prevention, mitigation, and control measures.

SA 1206. Mr. SCOTT of South Carolina (for himself, Mr. COTTON, Mr. MORAN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 4001 and insert the following:

SEC. 4001. FUNDING FOR COVID-19 RELATED EXPENSES FOR RESIDENTS AND STAFF OF NURSING HOME FACILITIES.

In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$150,000,000, to remain available until September 30, 2022, to carry out the purposes of the Disaster Relief Fund for costs associated with vaccinating, screening, testing, providing personal protective equipment for, and meeting other COVID-19-related expenses with respect to the residents and staff of long-term care facilities, nursing facilities, independent living, assisted living, memory care, and continuing care retirement communities, personal care homes, adult care homes, and residential care facilities for the elderly with 15 or more residential units.

SA 1207. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of section 2001, add the following:

(i) **LIMITATION.**—None of the funds made available under this section may be provided to a local educational agency unless any negotiations between the local educational agency and a labor organization with respect to the conditions for the provision of in-person instruction are documented in writing and made public.

SA 1208. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

After section 9022, insert the following:

SEC. 9023. FUNDING FOR UNEMPLOYMENT COMPENSATION FRAUD PREVENTION.

In addition to amounts otherwise available, there is appropriated to the Inspector General of the Department of Labor for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$1,000,000, to remain available until September 30, 2022, to